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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Naoki Yokoyama

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WASHINGTON, DC 20006-1021

EXAMINER

HOOSAIN, ALLAN

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/944,124	<b>Applicant(s)</b> YOKOYAMA, NAOKI	
	<b>Examiner</b> Allan Hoosain	<b>Art Unit</b> 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 November 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## FINAL DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3,8-9,17 are rejected under 35 U.S.C. 102(e) as being anticipated by **Jung et al.** (US 6,097,949).

As to Claims 1,8-9, with respect to Figures 1-4, **Jung** teaches a subscriber wireless access system which has subscriber station devices, 104,105, wirelessly connected to CBC/SMC (base station apparatus), subscriber identifier modules (communication terminal devices) being accommodated in the subscriber station devices (Col. 3, lines 13-21), wherein

pieces of information for discriminating the subscriber station devices from each other are added to the subscriber station devices, pieces of group discrimination information representing the same group are added to a plurality of subscriber station devices wirelessly connected to the same base station apparatus to group the subscriber station devices (Col. 3, lines 4-12), and

the base station apparatus holds corresponding information between pieces of individual discrimination information of the subscriber station devices and the pieces of group

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discrimination information, and, when the base station apparatus receives broadcast data from a subscriber station device, the base station apparatus designates a subscriber station device belonging to the same group as that of a subscriber station device of a transmission source as a destination to wirelessly transmit the broadcast data to the subscriber station device (Col. 2, lines 1-12 and Col. 3, lines 26-42).

As to Claim 2, **Jung** teaches a subscriber wireless access system according to claim 1, wherein the base station apparatus holds corresponding information between pieces of individual discrimination information of the subscriber station devices and the pieces of group discrimination information such that the corresponding information can be updated, and the group configuration of the subscriber station devices can be changed (Col. 3, lines 47-57).

As to Claim 3, **Jung** teaches a subscriber wireless access system according to claim 2, comprising

a network management device connected to a base station apparatus through a communication network, and wherein the corresponding information between the pieces of individual discrimination information of the subscriber station devices held by the base station apparatus and the pieces of group discrimination information can be updated by the network management device (Col. 1, lines 24-33).

3. Claims 7,16 is rejected under 35 U.S.C. 102(e) as being anticipated by **Gernert et al.** (US 6,600,734).

As to Claim 7, with respect to Figure 1, **Gernert** teaches a subscriber wireless access system which has a base station apparatus, 100, connected to a communication network, 65, through a router, 55, and subscriber station devices, 15, wirelessly connected to the base station apparatus, memories (communication terminal devices) being accommodated in the subscriber station devices (Col. 14, lines 52-61), wherein

the router is connected to the base station apparatus by a plurality of logical channels and holds corresponding information between IP addresses of data communicated on the communication network and the logical channels (Figure 1),

the base station apparatus holds corresponding information between the logical channels and authorization procedures (pieces of information) for discriminating the subscriber station devices from each other and corresponding information between network addresses (pieces of group discrimination information) of specific handsets (a plurality of subscriber station devices) wirelessly connected to the base station apparatus and pieces of individual discrimination information of the subscriber station devices and sets destination information of data transmitted to a subscriber station device with reference to the pieces of corresponding information (Col. 14, lines 27-35 and line 50 through Col. 15, line 5).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jung** in view of **Gernert et al.** (US 6,600,734).

As to Claims 4-6, **Jung** teaches a subscriber wireless access system according to claim 1, wherein

information according to a destination group of broadcast data is added to a subscriber station device as a tag set for:

**Jung** does not teach the following limitation:

“a communication frame conforming to IEEE”

**Gernert** teaches LAN communications through base stations using IEEE protocol frames (Figure 5 and Col. 4, lines 4-10). Since **Gernert** and **Juang** are in analogous wireless communications, it would have been obvious to one of ordinary skill in the art to add LAN capability to **Jung**'s invention for communicating with different base stations using IEEE protocols as taught by **Gernert**'s invention in order to provide interface capability to other networks.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Gernert** in view of **Jung**.

As to Claims 7,16, with respect to Figure 1, **Gernert** teaches a subscriber wireless access system which has a base station apparatus, 100, connected to a communication network, 65, through a

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router, 55, and subscriber station devices, 15, wirelessly connected to the base station apparatus, memories (communication terminal devices) being accommodated in the subscriber station devices (Col. 14, lines 52-61), wherein

the router is connected to the base station apparatus by a plurality of logical channels and holds corresponding information between IP addresses of data communicated on the communication network and the logical channels (Figure 1),

the base station apparatus holds corresponding information between the logical channels and authorization procedures (pieces of information) for discriminating the subscriber station devices from each other and corresponding information between network addresses (pieces of group discrimination information) of specific handsets (a plurality of subscriber station devices) wirelessly connected to the base station apparatus and pieces of individual discrimination information of the subscriber station devices and sets destination information of data transmitted to a subscriber station device with reference to the pieces of corresponding information (Col. 14, lines 27-35 and line 50 through Col. 15, line 5);

**Gernert** does not teach the following limitation:

“pieces of group discrimination information”

**Juang** teaches providing closed user group services (Col. 1, line 65 through Col. 2, lines 16). Since **Gernert** and **Juang** are in analogous wireless communications, it would have been obvious to one of ordinary skill in the art to add group capability to **Gernert**'s invention for broadcasting messages to a particular group of stations as taught by **Juang**'s invention in order to only provide users belonging to particular groups with certain messages.

7. Claims 10-12,17 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jung** in view of **Lau et al.** (US 6,690,657)

As to Claims 10-12, with respect to Figure 1, **Jung** teaches a subscriber wireless access system comprising:

a base station apparatus (Figure 1);

a first subscriber group, CUG A, wirelessly connected to said base station apparatus, said first subscriber group comprising a first plurality of mobile stations (subscriber station devices) and a first plurality of receivers and transmitters (communication terminal devices) accommodated in said first plurality of mobile stations (subscriber station devices), respectively, said first plurality of mobile stations (subscriber station devices) including a subscriber identifier module (first subscriber station device) and a message storage (first communication terminal device) accommodated in said mobile station (first subscriber station device) (Col. 3, lines 13-21);

a second subscriber group, CUG B, wirelessly connected to said base station apparatus, said second subscriber group comprising a second plurality of mobile stations (subscriber station devices) and a second plurality of receivers and transmitters (communication terminal devices) accommodated in said second plurality of mobile stations (subscriber station devices), respectively, said second plurality of mobile stations (subscriber station devices) including a subscriber identifier module (second subscriber station device) and a message storage (second communication terminal device) accommodated in said mobile station (second subscriber station device) (Col. 3, lines 13-21),



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wherein each of said first plurality of subscriber station devices and said second plurality of subscriber station devices is operable to store therein, individual discrimination information for discriminating each of said first plurality of subscriber station devices and said second plurality of subscriber station devices from one another (Col. 3, lines 13-21);

wherein said base station is operable to store therein, first group discrimination information associating each of said first plurality of subscriber station devices with said first subscriber group and second group discrimination information associating each of said second plurality of subscriber station devices with said second subscriber group (Col. 3, lines 4-12),

wherein said base station apparatus is operable to hold correspondence information related to a correspondence between individual discrimination information of each of said first plurality of subscriber station devices and the first group discrimination information and between individual discrimination information of each of said second plurality of subscriber station devices and the second group discrimination information,

**Juang** does not teach the following limitations:

“ wherein each of said first plurality of subscriber station devices is operable to send to the other of said first plurality of subscriber station devices, via said base station device, first broadcast data,

wherein each of said second plurality of subscriber station devices is operable to send to the other of said second plurality of subscriber station devices, via said base station device, second broadcast data,

wherein when said base station apparatus receives the first broadcast data from one of said first plurality of subscriber station devices, said base station apparatus wirelessly transmits the first broadcast data to the other of said first plurality of subscriber station devices, and

wherein when said base station apparatus receives the second broadcast data from one of said second plurality of subscriber station devices, said base station apparatus wirelessly transmits the second broadcast data to the other of said second plurality of subscriber station devices”

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However, it is obvious that **Jung** suggests the limitation. This is because **Jung** teaches groups of mobile users in an office setting and, therefore, group members should communicate with one another (Col. 2, lines 1-5). **Lau** teaches communications between groups of mobile users in an office setting (Figures 3-5 and Figure 18 and Col. 4, lines 41-52). Having the cited analogous art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add communication between groups of mobile users to **Jung**'s invention for facilitating communications between office groups as taught by **Lau**'s invention in order to provide distributed networking between groups of mobile users.

8. Claims 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jung** in view of **Lau** and further in view of **Gernert**.

As to Claims 13-15, **Jung** teaches a subscriber wireless access system according to claim 10, wherein the destination information includes a tag set:

**Jung** does not teach the following limitation:

“a communication frame conforming to IEEE”

**Gernert** teaches LAN communications through base stations using IEEE protocol frames (Figure 5 and Col. 4, lines 4-10). Since **Gernert** and **Juang** are in analogous wireless communications, it would have been obvious to one of ordinary skill in the art to add LAN capability to **Jung**'s invention for communicating with different base stations using IEEE protocols as taught by **Gernert**'s invention in order to provide interface capability to other networks.

*Response to Arguments*

9. Applicant's arguments filed in the 11/16/04 Remarks have been fully considered but they are not persuasive because of the following:

The disclosed invention does not transmit every message to every message to each mobile station as taught by Jung.

Examiner respectfully disagrees. This is because the disclosure teaches that messages are broadcasted and only received by mobile stations belonging to the group (Page 4, lines 9-14 and 20-26). This teaching is equivalent to Jung's teachings and not different.

The other arguments are directed towards a base station receiving broadcast information from a mobile station which are in the new claims and for which a new ground of rejection is given in the instant office action.

With respect to Claim 7, the disclosure teaches that pieces of group discrimination information help mobile stations to discriminate one group from another and only receive their group information (Pages 3-4). **Gernert** teaches that the authorization procedure only allows authorized users to receive information and unauthorized users to receive information (Col. 14, lines 36-44). Examiner, therefore, believes that the 35 USC 102(b) rejection is proper.

Similarly, Examiner respectfully believes that the 35 USC 103 rejection of Claim 7 was also proper because both **Gernert** and **Jung** send information to mobile users and only authorized users can receive the information.

Examiner respectfully invites Applicant to contact Examiner to discuss possible amendments for overcoming the prior art of record.

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***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Watanabe et al.** (US 6,834,192) teach communications between mobile stations in piconets.

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

12. Any response to this final action should be mailed to:

**Box AF**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for formal communications; please mark "EXPEDITED  
PROCEDURE")

**Or:**

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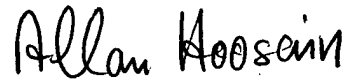
(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to Carlyle, Alexandria,  
VA 22313 (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (571) 272-7543. The examiner can normally be reached on Monday to Friday from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (571) 272-7547.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

  
**Allan Hoosain**  
**Primary Examiner**  
**5/20/05**